

P.O. Box 747  
Falls Church, Virginia 22040-0747  
Phone: (703) 205-8000  
Fax: (703) 205-8050  
(703) 698-8590 (GIV)

**Birch, Stewart, Kolasch & Birch, LLP**

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To:	Examiner Rodney P. Swartz	From:	Mark J. Nuell
Fax:	(703) 872-9306	Date:	December 22, 2003
Phone:		Pages:	16 (including cover sheet)
Your Ref.:	09/461,774	Our Ref.:	4249-0101P
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**Comments:**

**OFFICIAL**PATENT  
4249-0101P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: CHAN et al.

Conf.: 4250

Appl. No.: 09/461,774

Group: 1645

Filed: December 15, 1999

Examiner: SWARTZ, R.P.

For: BACTERIAL-DERIVED MOLECULES AND  
THERAPEUTIC AND DIAGNOSTIC USES  
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LARGE ENTITY TRANSMITTAL FORMCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 22, 2003

Sir:

Transmitted herewith is an amendment in the above-identified application.

- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
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The fee has been calculated as shown below:

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INDEPENDENT	6	-	8	= 0	\$ 86 \$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				\$290	\$0.00
					TOTAL \$0.00

Appl. No. 09/461,774

- Petition for ( ) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- No fee is required.
- Check(s) in the amount of \$0.00 is(are) enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

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Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Mark J. Nuell  
Mark J. Nuell, #36,623

MJN/sml  
4249-0101P  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 09/30/03)

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**OFFICIAL**MS No-Fee Amendment  
PATENT  
4249-0101PRECEIVED  
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DEC 22 2003

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Lily CHAN et al.	Conf.:	4250
Appl. No.:	09/461,774	Group:	1645
Filed:	December 15, 1999	Examiner:	SWARTZ, R.P.
For:	BACTERIAL-DERIVED MOLECULES AND THERAPEUTIC AND DIAGNOSTIC USES THEREFOR		

AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 22, 2003

Sir:

In response to the Office Action dated September 22, 2003, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

This response includes Amendments to the Claims and Remarks.